





*Official Statement of the Cherokee Delegation
in regard to the Expenditure of Cherokee
Funds and the Financial Condition of the
Cherokee Nation, and in Relation to the
Educational Situation of said Nation.*

To the Honorable, the Committee on *Indian Affairs,*
of the House of Representatives,
of the United States:

GENTLEMEN: In pursuance of the call of your Honorable Committee in its pending investigation as to the expenditure of the Cherokee Nation of its own funds, and as to the educational condition and interests of the "National," "School" and "Orphan" Funds of said Nation, the undersigned, a duly constituted and accredited delegation of said Nation, have the honor of filing before you exhibits, marked "A" and "B," respectively—the one being an official statement of the treasurer of said Nation (Hon. D. W. Busheyhead), covering the last four years, respecting the receipts and disbursements of the funds of the Nation; and the other being an official showing of the secretary of the board of education of the Nation (Hon. John L. Adair) as to the educational affairs of the Nation. Our treasurer is the officer of our Nation elected by it under the 10th Article of the Cherokee Treaty of 1835-6 (Revision Ind. Treaties, p. 71,) to receive the Cherokee funds from the United States, and to pass the receipt for the same in behalf of the Nation, which the treaty stipulates "*shall be a full discharge,*" for the amount receipted for. Our said treasurer is under a bond of about one hundred and fifty thousand dollars, conditioned upon the faithful discharge of his official duties; and he is

required by law to make a full report of his receipts and disbursements of Cherokee funds to each annual session of the National Council, which he has never failed to do to the satisfaction of the Council. In pursuance of the Treaty provisions referred to, the Cherokee funds are placed annually in the United States sub-treasury at St. Louis, Mo., and receipted for by our treasurer; and the said funds are accordingly placed to his credit in behalf of the Nation, and by him are drawn semi-annually, according to the 23d Article of our Treaty of 1866 (Revised Ind. Treaties, p. 95,) on the "order" or laws of the Cherokee National Council; and the amounts thus received and receipted for by him are paid by him, on drafts or "warrants," issued by our Principal Chief in accordance with acts of appropriation made by our National Council, which is in accord with section 23, Art. IV, of the constitution of the Cherokee Nation (Cherokee Code of Laws, p. 18). The receipts referred to, and the disbursements made of the funds named in the Exhibit "A" (the report of the treasurer), have been made strictly in accordance with the treaties and laws alluded to, and are correct. The duties of our treasurer are prescribed by our constitution and laws, as embraced in the Cherokee code already submitted to your Honorable Committee; and his authority to receive and receipt for the Cherokee funds has never been questioned by the Government of the United States. The "loan" referred to by him in Exhibit "A" as having been authorized temporarily by the Council from the School to the General fund, to meet the current expenses of our Councilors, has been from the *surplus* of the School fund, and has invariably been refunded in a month or so from the General fund; and in no instance have our schools been embarrassed in the slightest degree; and not one dollar of these School funds has ever been expended on our delegations. As a proof that no embarrassment has occurred to our School fund, we respectfully invite your

attention to the fact that Exhibit "A" correctly shows that there is now on hand in our School fund a *surplus* of \$54,167.39. The same exhibit also shows that there is now a surplus on hand in the other departments of the Nation as follows:

In the Orphan fund, \$6,682.19; in the Asylum fund, \$10,761.20; in the fund for the institution for indigent Cherokees, \$16,235.42; in the Asylum fund for the deaf, dumb and blind, \$1,697.97; in the fund for the purpose of buildings for the orphan asylum, \$2,023.

It is proper to remark, in this connection, that the General fund (which, under the treaties, is applied by our Council to general purposes of the Nation) is owing an outstanding debt of about \$170,000, consisting generally of Cherokee "warrants," issued by our Principal Chief in pursuance of appropriation acts of our Council. But, as before shown, the School, Orphan and other funds have each a surplus on hand. The amount of funds received annually for our General fund, to meet the general expenses of the Nation, is about \$85,530.73; which will be more than sufficient to meet the current expenses of the Nation; while in order to meet the payment of the debt of \$170,000 referred to, without interfering with this fund, our delegation, during the Forty-Fourth Congress, procured the passage of an act, approved February 28, 1877, (U. S. Stat., vol. 19, p. 265,) disposing of the unsold portion (about 230,000 acres) of the Cherokee "strip" lands in Kansas, and placing its proceeds subject to the disposition of the Cherokee Council. In accordance with this act of Congress the Cherokee Council, at its last regular session, passed an act (Exhibit "C") applying the proceeds of said lands to the payment of said outstanding debt, and which was approved by the Indian Department on the 25th of last January; so that ample arrangements have been made whereby this debt will be paid promptly, without interfering with any of the existing funds of the Nation.

In this connection it may be proper to state that this debt has been caused chiefly by the liberality of the General Fund to the School and other funds, in the erection of buildings, &c., and in the establishment of a national prison and a printing and newspaper press and office, as well as for the erection of other public buildings, which have been estimated in the late report of the Indian Bureau at a value of \$261,000. (See Report Commissioner Indian Affairs, 1877, p. 109.) The funds referred to in Exhibit "A" as being on hand do not embrace the funds to be paid this year to the Cherokees, consisting of—to the General Fund, \$85,530.73; to the School Fund, \$7,877.04; to the Orphan Fund, \$22,420.92; and to the Asylum Fund, \$4,060.52, making a total of \$161,889.91 due every year as interest on the Cherokee funds in the custody of the Government, amounting to \$2,909,113.89.

As a further evidence that the Cherokee funds have not been squandered we respectfully invite the Honorable Committee to a comparative view of these funds as they stood at the close of the war of the rebellion, twelve years ago, and as they now stand; from which it will be seen that these funds have increased from three to four hundred per cent. during the last twelve years. To illustrate: At the close of the war of the rebellion, under the treaties of 1835-6 (Revision Indian Treaties, pp. 71, 72) the Cherokees had on hand belonging to their General Fund, after deducting therefrom \$83,000 abstracted by the Government officials, \$417,000—to their School Fund, \$200,000; to their Orphan Fund, \$50,000—aggregating the sum of \$667,000. By the report of our Treasurer of 1874, herewith submitted, and the records of the Indian Bureau the Cherokee Nation now has to its credit in the custody of the Government, in its General Fund, \$1,534,476.77, showing an increase in that fund of \$1,117,476.77 during the last twelve years; in its School Fund, \$901,408.25, showing an increase in that fund for the same period of \$701,-

\$49,877.04

408.25; in its Orphan Fund, \$405,553.60, showing an increase of that fund during the same time of \$355,553.60. In addition to the increase named in our funds, the sum of \$67,675.27 has been appropriated since the war of the rebellion for an asylum for the deaf and dumb and blind, &c., referred to in Exhibit "A." The aggregate increase of our funds of \$2,242,113.89 thus shown, has been chiefly due to the efforts of the Cherokee delegates before the Government in the disposition of: 1st, the Cherokee "neutral" lands in Kansas, in 1868, for \$944,750.07; 2d, of a part of the Cherokee "strip" of lands in Kansas in 1872-3 for \$168,704.69; 3d, in the disposition of Cherokee lands to the Osages in 1873 for \$1,096,748.80; 4th, in the Treaty of 1867 with the Delaware, for \$279,424.28; 5th, in the Treaty of 1869 with the Shawnees for \$150,000. Out of the different sums named there has been, from time to time, as the records of the Indian Bureau will show, deducted the sum of \$150,000 to pay the outstanding debt of the Nation, due at the close of the war of the rebellion, as well as other sums, to meet the expense of the sale and survey, &c., of the lands disposed of, so that the *net increase* of the funds aggregate, as shown above, the sum of \$2,242,113.89.

As regards the management of the educational interests of the Cherokee Nation, we would respectfully refer your Honorable Committee to the laws of said Nation on the subject to be found in the Cherokee code submitted to you, and to Exhibit "B," which embraces a report in regard to our schools, which is in the main correct as it relates to the present terms of the schools. From this report it will be seen that the Cherokee Nation has 75 primary free schools, 2 seminaries, free, one male and one female, one orphan asylum school, free, aggregating the number of pupils in *actual* attendance at the time at 2,640, with a daily average at the primary schools of 30 pupils and 442 boarders at the seminaries and orphan asylum.

Besides these 75 common schools our National Council at its late session made provision for 10 more such schools. The appropriations to meet the expenses of all of these educational institutions, including the salaries of teachers, are made annually by the National Council of the Nation. It will be seen by this report, as well as by the report of our Treasurer (Exhibit "A"), that the school system and educational interests of the Cherokee Nation are not at all embarrassed, and are in a very flourishing and flattering condition. The hopeful condition of the educational facilities of the Cherokee Nation will illustrate itself to your Honorable Committee by a comparison of that Nation in that regard with the educational appliances of its neighboring States, Arkansas, Missouri, Kansas, and Texas, in the centennial year (1876), as per official data in the Bureau of Education of this city. From this data it appears that the Cherokee Nation in that year had a population of 19,000 souls, with a total school population, as per report of Superintendent of Schools, of 4,041; enrolled in public schools, total, 2,800; percentage of enrolment, 69; duration of schools (in days) per annum, 200; number of teachers, 93; average monthly wages of teachers, \$42.80; expenditure for education, \$110,110; value of school sites, buildings, &c., \$165,000; expended *per capita* on school population, \$24.78; expended *per capita* on pupils enrolled, \$35.76.

The State of Arkansas: School population, 189,130; pupils enrolled in public schools, 15,890; per cent. of enrolment, 7; duration of schools in days, not reported; days of teachers, 461; average pay of teachers, not reported; total expenditure for schools, \$119,403; value of school sites, buildings, &c., \$366,435; expended *per capita* for total school population, 67 cents; expended *per capita* on the number enrolled, \$7.45.

The State of Missouri: Total school population, 725,728; number enrolled in public schools, 394,848; percentage

of enrolment, 54; duration of schools in days, 60; days of teachers, 9,651; average pay of teachers per month, \$30; total expenditure for schools, \$2,374,960; value of school sites and buildings, not reported; expended for public schools *per capita* of total school population, not reported; expended *per capita* on number enrolled, not reported.

The State of Kansas : Whole school population, 212,977, enrolled in public schools, 147,224; per cent. of enrolment, 69; duration of schools, in days, days; of teachers, 5,576; average pay of teachers, for men, \$33.66, for women, \$27.00; total expenditures for schools, \$1,198,437; value of school sites, buildings, &c., \$4,600,-259; expenditures for public schools, *per capita* of the total school population, \$5.69; expenditures, *per capita* of the number enrolled, \$8.28.

The State of Texas : Total school population, 313,061; number of pupils enrolled in public schools, 184,705; duration of schools, in days, 78; days of teachers, estimated, 4,030; average pay of teachers, \$53; total expenditure for schools, \$726,236; value of school sites, buildings, &c., not reported; expenditures for public schools, *per capita* of the total school population, not reported; expenditures, *per capita* of the number enrolled, not reported.

From the data above it appears that the Cherokee Nation is doing vastly more comparatively for education than her neighboring States; that the percentage of her enrolment in her entire school population is 69, while that of Arkansas is but 7, or that 10 Cherokee children are enjoying the inestimable boon of a liberal education as compared with 1 enjoying the same advantages in the States of Arkansas; and that while the Cherokee Nation expended *per capita* on her whole school population \$24.78, the State of Arkansas expended 67 cents *per capita*; that while the Cherokee Nation expended \$35.76, *per capita*, on pupils enrolled, the State of Arkansas expended

for like purposes only \$7.45 *per capita*, or five times less on actual enrolment than the Cherokee Nation. And this comparison will in a measure hold good as between the Cherokee Nation and States of Missouri, Kausas, and Texas.

In conclusion, the undersigned, in response to the investigation as to whether the Cherokee people are advancing in civilization, under their application made of their own funds, would respectfully refer your Honorable Committee to the report of the Indian Bureau for 1877, pp. 108, 109, which states that: "The Cherokees are well advanced in civilization, and are an intelligent, temperate, and industrious people, who live by the honest fruits of their labor and are ambitious to advance both as to the development of their lands and the conveniences of their homes. In their council, may be found men of learning and ability, and it is doubtful if their rapid progress from a state of wild barbarism to that of civilization and enlightenment, has any parallel in the history of the world. What required 500 years for the Britons to accomplish in this direction, they have accomplished in 100 years. They have ample provisions for the education of *all their children* to a degree of advancement equal to that furnished by an ordinary college in the States. They have 75 common day schools, kept open 10 months in the year, in the different settlements of the Nation. Then, for the higher education of their young men and women, they have two commodious and well-furnished seminaries, one for each sex, and in addition to those already mentioned, they have a manual labor school and an asylum. All these buildings used for school purposes are after the best style of architecture, and are equipped with furniture and fixtures of the latest and best manufacture. * * * They have 24 stores, 22 mills, and 65 smithshops, owned and conducted by their own citizens. Their constitution and laws are published in book form; and from their print-

ing-house goes forth among the people in their own language and also in English, the Cherokee Advocate, a weekly paper, which is edited with taste and ability by native Cherokees."

We have the honor to be, with great respect,
Your obedient servants,
W. P. ADAIR,
D. H. ROSS,
Cherokee Delegation.

"A."

Tabular Statement of (Cherokee) National Funds received and disbursed by D. W. Busheyhead, Treasurer of the Cherokee Nation, during the four years commencing Oct. 1st, 1873, and ending September 30th, 1877 :

GENERAL FUND.

| | |
|--|---------------|
| On hand October 1, 1873..... | \$4 20 |
| Received from the U. S., 1874..... | 62, 087 15 |
| " " " " 1875..... | 112, 028 40 |
| " " " " 1876..... | 69, 101 71 |
| " " " " 1877..... | 76, 068 65 |
| Total..... | \$319, 290 11 |
| Disbursed in accordance with appropriation acts of the <i>National Council</i> , as follows : | |
| During the fiscal year 1874..... | \$62, 064 13 |
| " " " " 1875..... | 111, 072 74 |
| " " " " 1876..... | 67, 608 05 |
| " " " " 1877..... | 77, 984 53 |
| Total disbursed..... | 318, 729 45 |
| Balance on hand Sept. 30, 1877..... | \$560 66 |

SCHOOL FUND.

| | |
|-------------------------------|-------------|
| On hand October 1, 1873..... | \$38,863 95 |
| Received from U. S. 1874..... | 55,424 66 |
| “ “ “ 1875..... | 71,557 75 |
| “ “ “ 1876..... | 52,816 39 |
| “ “ “ 1877..... | 50,234 08 |

Total..... \$268,896 83

Disbursed as follows, for school
purposes only:

| | |
|---------------------------|-------------|
| During the year 1874..... | \$32,809 47 |
| “ “ “ 1875..... | 43,787 45 |
| “ “ “ 1876..... | 63,848 64 |
| “ “ “ 1877..... | 74,283 88 |

Total disbursed..... 214,729 44

Bal. on hand Sept. 30, 1877... \$ 54,167 39

ORPHAN FUND.

| | |
|-----------------------------------|------------|
| On hand October 1, 1873..... | \$1,574 12 |
| Received from the U. S. 1874..... | 21,716 98 |
| “ “ “ “ 1875..... | 30,947 83 |
| “ “ “ “ 1876..... | 22,126 70 |
| “ “ “ “ 1877..... | 21,155 50 |

Total..... \$97,521 13

Disbursed as follows:

| | |
|---------------------------|-------------|
| During the year 1874..... | \$16,586 38 |
| “ “ “ 1875..... | 20,867 00 |
| “ “ “ 1876..... | 36 378 22 |
| “ “ “ 1877..... | 17,007 34 |

Total disbursed..... 90,838 94

Bal. on hand Sept. 30, 1877..... \$6,682 19

ASYLUM FUND.

| | |
|-------------------------------------|------------|
| Received from the U. S., 1874 | \$2,262 47 |
| “ “ “ “ 1875..... | 6,883 85 |
| “ “ “ “ 1876..... | 4,555 37 |
| “ “ “ “ 1877..... | 4,284 32 |

Total..... \$17,986 63

Disbursed as follows:

| | |
|---------------------------|------------|
| During the year 1874..... | \$2,262 47 |
| “ “ “ 1877..... | 4,962 65 |

Total disbursed..... 7,225 12

Bal. on hand Sept. 30, 1877..... \$10,761 20

INSTITUTION FOR INDIGENT CHEROKEES, &c.

Received from the U. S., 1874..... \$75,000 00

Disbursed as follows:

| | |
|---------------------------|------------|
| During the year 1874..... | \$1,175 00 |
| “ “ “ 1875..... | 36,122 00 |
| “ “ “ 1876..... | 18,423 78 |
| “ “ “ 1877..... | 3,043 80 |

Total disbursed..... 58,764 58

Bal. on hand Sept. 30, 1877..... \$16,235 42

PROCEEDS SALE OF LANDS IN KANSAS.

| | |
|------------------------------------|-------------|
| Received from the U. S., 1874..... | \$32,350 65 |
| “ “ “ “ 1875..... | 33,093 93 |
| “ “ “ “ 1877..... | 11,516 44 |

Total..... \$76,961 02

Disbursed as follows :

| | |
|---------------------------|-----------|
| During the year 1874..... | 28,726 27 |
| “ “ “ 1875..... | 28,839 90 |
| “ “ “ 1876 | 7,718 25 |
| “ “ “ 1877..... | 10,505 50 |

| | |
|----------------------|-----------|
| Total disbursed..... | 75,789 92 |
|----------------------|-----------|

| | |
|----------------------------------|------------|
| Bal. on hand Sept. 30, 1877..... | \$1,191 10 |
|----------------------------------|------------|

PURCHASE OF BUILDINGS, &C., FOR ORPHAN ASYLUM.

| | |
|------------------------------------|-------------|
| Received from the U. S., 1874..... | \$20,000 00 |
|------------------------------------|-------------|

Disbursed as follows :

| | |
|---------------------------|------------|
| During the year 1874..... | \$8,500 00 |
| “ “ “ 1875..... | 5,250 00 |
| “ “ “ 1876..... | 4,227 00 |

| | |
|----------------------|-----------|
| Total disbursed..... | 17,977 00 |
|----------------------|-----------|

| | |
|----------------------------------|------------|
| Bal. on hand Sept. 30, 1877..... | \$2,023 00 |
|----------------------------------|------------|

ASYLUM FUND FOR DEAF, DUMB, BLIND, &C.

| | |
|------------------------------------|-------------|
| Received from the U. S., 1874..... | \$25,000 00 |
|------------------------------------|-------------|

Disbursed as follows :

| | |
|---------------------------|------------|
| During the year 1874..... | \$1,700 00 |
| “ “ “ 1875..... | 7,273 00 |
| “ “ “ 1876..... | 14,329 03 |

| | |
|----------------------|-----------|
| Total disbursed..... | 23,302 03 |
|----------------------|-----------|

| | |
|----------------------------------|------------|
| Bal. on hand Sept. 30, 1877..... | \$1,697 97 |
|----------------------------------|------------|

NOTE.—At each regular session of the National Council

an act has been passed directing the Treasurer to borrow from the surplus School or other fund enough money to pay the members of said Council and officers of the Nation, and to *refund* the same out of the first monies received belonging to the General Fund, which has been done invariably before the end of the fiscal year in which such loan was made.

(Signed.) D. W. BUSHEYHEAD.
Treasurer Cherokee Nation.

This is to certify that the next above signature is the handwriting of D. W. Busheyhead, National Treasurer of the Cherokee Nation, and that he is entitled to full credit as such officer in his official capacity.

In testimony whereof I have hereunto set my hand and the seal of the Cherokee Nation, at Tablequah, on this the 7th day of February, A. D. 1878.

[L. s.] (Signed.) CHARLES THOMPSON,
Principal Chief of the Cherokee Nation.

WM. F. RASMUS,
Executive Secretary.

DISTRICT OF COLUMBIA,
County of Washington, ss.

I hereby certify that I have carefully compared the foregoing with the original tabular statement, etc., signed by D. W. Busheyhead, Treas., C. N., with the certificate of Charles Thompson, Principal Chief, C. N., attached, and that it is a true copy of it in every particular.

Witness my hand and notarial seal this 1st day of April, 1878., at Washington, D. C.

[L. s.] CHAS. S. LUSK,
Notary Public.

"B."

OFFICE BOARD OF EDUCATION,
TAHLEQUAH, C. N., March 5, 1878.

His Excellency CHARLES THOMPSON,

Principal Chief:

SIR: That correct statistics of the high and primary schools might be obtained, the statement required of them some time since by the Executive Department has been delayed until the present time.

There are now in operation 75 primary schools; 3 of these have 2 teachers each, making the number of teachers 78; 26 of these schools are designated as "first grade;" 41 as "second," and 11 as "third."

The salary of teaching each in the order of their mentioning is \$500, \$400, and \$300. For this number there was appropriated by the last Council, \$32,700; and for text-books, \$1,000.

The number of students attending the primary schools is 2,198, making an average of a fraction less than 30.

Of the high schools (the male and female seminaries, including the orphan asylum,) the following is a correct statement:

| | |
|---------------------------------|-----|
| Male seminary (students)..... | 150 |
| Female seminary (students)..... | 152 |
| Orphan asylum (students)..... | 140 |
| Total..... | 442 |

The total number of children now being educated are 2,640.

The appropriation for the male seminary is as follows:

| | | |
|---|-------------|-------------|
| Current expenses..... | \$12,000 00 | |
| Salaries of teachers, superintendent and matrons..... | 4,550 00 | |
| Text-books | 250 00 | |
| Repairs for cistern..... | 500 00 | |
| Contingent expenses..... | 1,000 00 | |
| Total..... | | \$18,300 00 |

Female seminary:

| | | |
|---|-------------|-------------|
| Current expenses.. | \$10,154 00 | |
| Salaries of teachers, superintendent and matrons..... | 4,550 00 | |
| Text-books | 250 00 | |
| Repairs..... | 300 00 | |
| Contingent expenses..... | 1,000 00 | |
| Total..... | | \$16,254 00 |

| | | |
|---|------------|------------|
| Salaries of the Board of Education..... | \$2,200 00 | |
| Incidental expenses of same.... | 100 00 | |
| Total..... | | \$2,300 00 |

| | | |
|---|------------|--|
| Three extra teachers, at \$400 each | \$1,200 00 | |
|---|------------|--|

| | | |
|------------------------------------|-------------|--|
| Total amount of appropriation..... | \$70,754 00 | |
|------------------------------------|-------------|--|

| | | |
|--|--------|--|
| General repairs for male seminary (omitted). | 300 00 | |
|--|--------|--|

| | | |
|---------------------------------------|-------------|--|
| True total for educational purposes.. | \$71,054 00 | |
|---------------------------------------|-------------|--|

In connection with the male and female seminaries, it may be necessary to mention the primary or indigent department; into which are received, supported and edu-

cated the poor children of the country at the expense of the School fund.

It will be seen that the appropriation is in excess of the school annuity, as it has been for several years. This excess is upon a surplus that accumulated before the male and female seminaries went into operation; and the number of primary schools were not as great as at present.

I have the honor to be, very
respectfully your obedient servant,

JOHN L. ADAIR,
Secretary Board of Education.

This is to certify that the next above signed John L. Adair is a member and the Secretary of the present Board of Education of this Nation, and that he is entitled to full credit as such officer in the presentation of facts as set forth in the foregoing statement in relation to school matters in the Cherokee Nation.

In testimony whereof I have hereunto set my hand and the seal of the Cherokee Nation, at Tahlequah, on this the 5th day of March, A. D. 1878.

[L. S.]

CHARLES THOMPSON,
Principal Chief.

WM. RASMUS, *Exec. Sec.*

DISTRICT OF COLUMBIA,
County of Washington, ss.

This is to certify that I have carefully compared the foregoing with the original report of John L. Adair, Secretary Board of Education, with the Principal Chief's certificate attached, and that it is a true copy of the same.

Witness my hand and notarial seal this 1st day of April, 1878.

at Washington, D. C.

[L. S.]

CHAS. S. LUSK,
Notary Public.

EXHIBIT C.

An Act Providing for the Sale of certain (Cherokee)
Lands in Kansas.

WHEREAS, at the last session of the United States Congress, an act was passed entitled, "An act to provide for the sale of certain lands in Kansas;" and WHEREAS, the bill provides for the sale of said lands to settlers at the rate of one dollar and twenty-five cents per acre, and that all of said land remaining unsold after one year from the date at which they were so offered, shall be sold by the Secretary of the Interior for cash, at not less than one dollar per acre, and that the proceeds of said lands shall be paid into the Treasury of the United States and placed to the credit of the Cherokee Nation; therefore:

SEC. 1. *Be it enacted by the National Council*, That the conditions of the above quoted act of Congress be, and they are hereby accepted; and that the proceeds of the sale of said lands be applied to the payment of our (the Cherokee) outstanding indebtedness as shown in the Treasurer's report for the last fiscal year ending September 30, 1877.

SEC. 2. *Be it further enacted*, That the proceeds of the said lands sold under the provisions of this act, and of the act of Congress on the subject, shall, after having been paid into the Treasury of the United States, and placed to the credit of the Cherokee Nation, be paid to the Treasurer of the Cherokee Nation.

TAHLEQUAH, C. N., Dec. 1, 1877.

Approved:

CHARLES THOMPSON,

Principal Chief.

This is to certify that the foregoing act of the National Council of the Cherokee Nation entitled, "An act providing for the sale of certain lands in Kansas," approved

December 1, 1878, is a true copy of the original as on file in this office.

In testimony whereof I have hereunto set my hand and the seal of the Cherokee Nation, at Tahlequah, Cherokee Nation, on this the 15th day of January, A. D. 1878.

[L. S.]

WM. F. RASMUS,

Executive Secretary.

WASHINGTON, D. C., June 1, 1876.

*To the Honorable Chairman and Gentlemen of the Committee
on Indian Affairs of the House of Representatives:*

GENTLEMAN: From time to time, for several months past, we have presented arguments before you, drawn in detail from facts and evidences in the public archives of the Government, in respect to the claim of the "Old Settler" Cherokees, now before you, for a balance of funds due under the Cherokee treaties of 1835, '36, and '46. We now propose a statement of the case, recapitulating the facts and arguments heretofore presented, as compared with the laws and treaties touching the situation, in which we will endeavor to show the true principle of the treaty of 1846 as connected with that of 1835-36.

You will no doubt be astonished when you examine the construction placed upon the 1846 treaty by some of the accounting officers of the United States Government.

You will also be astonished when you see the (intended) erroneous large sums charged up against the various appropriations, which we have pointed out in various places.

We earnestly beg you to take a little time and examine the Old Settler Cherokee account, as prepared by Hon. Commissioner Medill in his report. (Page 18 of that report.)

He declares there is an inconsistency in the 4th article of the 1846 treaty.

That the investments and expenditures cannot be restricted to the objects particularly enumerated in the 15th article of the 1835 treaty. * * * He then tells you that he will classify the funds, and the objects of expenditure, in the same manner adopted with the Eastern Cherokees.

This is done to place a false construction upon the 4th

